

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DEBRA BEYAH,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.:
)	1:06-cv-00659-CSC
)	
WAL MART STORES, INC.,)	JURY DEMAND
)	
Defendant.)	
)	

REPORT OF PARTIES' RULE 26 PLANNING MEETING

1. Appearances:

Pursuant to Fed.R.Civ.P. 26(f), a meeting of the parties' representatives was held via telephone on September 28, 2006.

a. Appearng on behalf of plaintiff:

Temple D. Trueblood; Wiggins Childs, Quinn & Pantazis, L.L.C.

b. Appearng on behalf of defendant:

Charlotte K. McClusky; Littler Mendelson, P.C.

2. Parties:

- a. The plaintiff shall have until January 15, 2007, to join any additional parties.
- b. The defendant shall have until February 15, 2007, to join any additional parties.

3. Pleadings:

- a. The plaintiff shall have until January 15, 2007, to amend the pleadings.
- b. The defendant shall have until February 15, 2007, to amend the pleadings.

4. Dispositive Motions:

All potentially dispositive motions must be filed no later than June 1, 2007.

5. Expert Testimony:

Unless modified by stipulation of the parties, the disclosure of expert witnesses -including a complete report under Fed.R.Civ.P. 26(a)(2)(B) from any specially retained or employed expert - are due:

- a. From the plaintiff: June 1, 2007;
- b. From the defendant: July 2, 2007;

6. Discovery Limitations and Cutoffs: The parties jointly propose to the Court the following discovery plan:

Discovery is needed on the following subjects: liability, defenses and damages.

Settlement cannot be realistically evaluated prior to substantial discovery.

- a. Unless modified by stipulation of the parties:

Depositions:

Maximum of 10 depositions by plaintiff and 10 depositions by defendant, with a maximum time limit of 7 hours per deposition, unless extended by agreement of the parties.

Interrogatories:

Maximum of 30 by each party, with responses due within 30 days after service.

Request for Admission:

Maximum of 25 by each party, with responses due within 30 days after service.

Supplementation:

Supplements under Fed.R.Civ.P. Rule 26(e) are due 30 days before the close of discovery.

- b. Pre-discovery disclosure: The parties shall exchange the information required by Local Rule 26.1(a)(1) by October 19, 2006.
- c. Unless modified by court order for good cause shown, all discovery must be commenced in time to be completed by August 3, 2007.

7. Pre-trial conference:

The parties request a final pretrial conference on September 3, 2007.

8. Trial:

This case should be ready for trial by October 1, 2007, and at this time is expected to take approximately 3-4 days for trial.

9. Final lists:

Final lists of trial witnesses and exhibits under Fed.R.Civ.P. 26(a)(3) must be served and filed:

- a. By the plaintiff: Thirty (30) days before the trial date.
- b. By the defendant: Thirty (30) days before the trial date.

Objections are to be filed within 15 days after service of final lists of trial witnesses and evidence.

10. Scheduling Conference:

The parties do not request a scheduling conference prior to the entry of the Scheduling order.

11. Counsel for the plaintiff has given defendant's counsel permission to submit hereon her electronic signature for submission to the Court.

Respectfully submitted this 6th day of October 2006.

/s/ Charlotte K. McClusky
Charlotte K. McClusky
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Counsel for Defendant

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